

City Hall, Lodi, Cal., February 16, 1920.

The Board of Trustees of the City of Lodi convened in regular session at 8 o'clock p.m., there being present Trustees Black, Hale, Crose, Morehead and Montgomery.

Minutes of the adjourned meeting of February 9th were read and approved.

The report of Plumbing Inspector Hanning for the month of January was read and ordered filed.

The application of Charles Haddock for employment as Deputy Marshal was read and ordered filed.

In response to call for bids for street improvement bonds in the aggregate amount of \$6736.40, to be issued upon the security of the unpaid assessments made for the improvement of East Oak Street, under Resolution of Intention No. 25, a bid was received from Freeman Smith & Camp Company.

RESOLUTION NO. 90.

Authorizing and directing delivery of bonds issued pursuant to the provisions of Resolution of Intention No. 25, and the Improvement Bond Act of 1915.

BE IT RESOLVED by the Board of Trustees of the City of Lodi as follows:

WHEREAS, the City Clerk, pursuant to the provisions of Resolution No. 82, adopted January 19th, 1920, caused to be duly published a notice inviting sealed bids for the purchase of Street Improvement Bonds dated January 19th, 1920, and aggregating the total sum of \$6,736.40, and issued pursuant to the provisions of the "Improvement Bond Act of 1915" and amendments thereto, and pursuant to proceedings taken by the Board of Trustees of the City of Lodi under Resolution of Intention No. 25, and

WHEREAS, said Resolution No. 82 provided that bids would be received by the City Clerk up to the hour of 8 o'clock P.M. on Monday, February 16th, 1920, and said published notice contains a like provision, and

WHEREAS, within the times limited and provided for in said Resolution and Notice, bids were received by the City Clerk for the purchase of said Street Improvement Bonds, and

WHEREAS, this Board did, in open session on the 16th day of February, 1920, open, examine and publicly declare all sealed bids for the purchase of said bonds, which bids are as follows, to-wit: FREEMAN SMITH & CAMP COMPANY, par, accrued interest and a premium of \$5.00; and

WHEREAS, it appears to this Board that the bid of FREEMAN SMITH & CAMP COMPANY is the highest and best bid offered;

NOW, THEREFORE, BE IT RESOLVED, by this Board of Trustees, that the bid of FREEMAN SMITH & CAMP COMPANY be and the same hereby is accepted, and that all other bids for said bonds be and the same hereby are rejected, and that all checks accompanying the same be returned to the parties offering such bids, except that of the successful bidder, which shall be retained by the City Clerk until the completion of the purchase under the terms of their bid, and

BE IT FURTHER RESOLVED that the President of the Board of Trustees and the City Clerk be and they are hereby authorized and directed to deliver said bonds in the aggregate total amount of \$6,736.40 to the successful bidder at any time within ten days from February 16th, 1920, upon payment to the City of Lodi of the amount specified in their bid on file, and

BE IT FURTHER RESOLVED that the City Clerk be and he is hereby authorized and directed to return to the successful bidder the check accompanying their bid at the time the bonds are delivered.

Attorney George F. McNoble appeared for petitioners in the matter of the offensive condition of the Mokelumne Canal Company's waterway which is the outlet for the City of Lodi's sewer system, arguing that the City is maintaining a nuisance which must be abated. T. H. Beckman, H. C. Beckman, H. T. Bailey and W. Baker, whose homes are near the canal, also testified that conditions are not satisfactory and urged the Board of Trustees to immediately take steps to remedy the same.

Upon motion of Trustee Crose, seconded by Trustee Montgomery, the salary of the deputy marshal appointed February 9th, was fixed at \$125.00 per month.

Upon motion of Trustee Montgomery, seconded by Trustee Crose, Superintendent Henning was authorized to employ a man to inspect and report on all water services in the City, his services to begin April 1, 1920.

RESOLUTION NO. 88.

Relating to Issuance of Street Improvement Bonds under Proceedings taken pursuant to Resolution of Intention No. 24 for the improvement of Walnut Street, and determining the amount of the unpaid Assessments.

BE IT RESOLVED, by the Board of Trustees of the City of Lodi, as follows:

WHEREAS, the Board of Trustees of the City of Lodi on the 21st day of July, 1919, adopted its Resolution of Intention No. 24 for the improvement of Walnut Street from the East Line of Hutchins Street to the West Line of Lee Avenue, and from the East Line of Lee Avenue to the West Line of Sacramento Street, and from the East Line of Sacramento Street to a line 247.5 feet East of and parallel to the West Line of Sacramento Street; and from a line 234.5 feet West of and parallel to the East Line of Main Street to the City Limits on the East, being the West Line of Cherokee Lane, in said City of Lodi, under and pursuant to the provisions of the "Improvement Act of 1911" and amendments thereto, and pursuant to the provisions of the "Improvement Bond Act of 1915" and amendments thereto, and to the resolutions, notices and other proceedings of said City duly adopted and taken, reference to said Resolution of Intention being hereby expressly made for further particulars; and

WHEREAS, the contract for said work and improvement was duly awarded and the work to be done thereunder was thereafter duly completed to the satisfaction of the Superintendent of Streets of said City, and of this Board, whereupon a warrant, diagram and assessment were made, recorded and delivered to the contractor in time, form and manner as required by said act, and the contractor having made due return thereon and the same having been duly

recorded; and

WHEREAS, on the 9th day of February, 1920 the Street Superintendent of said City made and filed with the Clerk of this Board a complete list of all assessments unpaid thereunder upon the respective assessments or diagram numbers thereof, whereupon said Clerk gave notice of the filing of said list and fixed in said Notice Monday the 16th day of February, 1920 at the hour of 8 o'clock P. M., and the regular meeting place of said Board of Trustees, to-wit: The City Hall in said City of Lodi as the time and place respectively when interested persons might appear before the Board of Trustees and show cause why bonds should not be issued upon the security of the unpaid assessments shown on said list, said time being that of a regular meeting of said Board, and

WHEREAS, it satisfactorily appears from the affidavits produced that the Clerk of this Board has caused to be given due notice by posting and publication as required by law of the filing by the Superintendent of Streets of the list of all unpaid assessments made under said Resolution of Intention No. 24 of said City; and

WHEREAS, since said filing by the Superintendent of Streets of the aforesaid list of unpaid assessments, the following assessments have been paid to the proper officer of the City, to-wit:

Assessment numbers: 14; 15; 21; 22; 26; 29; 30; 31; 36; 37; 46; 47; 48; 49; 50; 51; 73; 74; 75; 87; 120; 121; 122; 123; 124; 125; 132; 133; 134; 135; 136; 137; 138; 139; 203; 204; 205; 220; 221; and 236 aggregating the total sum of \$ 6,522.51 leaving a balance due on account of said unpaid assessments of \$ 7,695.06 and

WHEREAS, no protests or objections were presented against the issuance of bonds as aforesaid before or at the time set for said hearing, and no sufficient reason having been shown why bonds should not be issued upon the security of said unpaid assessments aggregating the total sum of \$ 7,695.06, and it further appearing that said list of unpaid assessments filed by the Superintendent of Streets is in all respects complete and correct, excepting therefrom the assessments paid since the filing of the same as hereinbefore set forth;

BE IT RESOLVED, that said list of unpaid assessments as filed by the Superintendent of Streets was in all respects complete and correct at the time of said filing; and that since said time assessments numbered:

14; 15; 21; 22; 28; 29; 30; 31; 36; 37; 46; 47; 48; 49; 50; 51; 73; 74;
75; 87; 120; 121; 122; 123; 124; 125; 132; 133; 134; 135; 136; 137; 138;
139; 203; 204; 205; 220; 221; and 236
have been paid.

And the Board hereby finds and determines that the unpaid assessments made pursuant to the proceedings taken under said Resolution of Intention No. 24 and the aggregate amount of the same are as follows:-

<u>OWNER</u>	<u>ASSESSMENT NUMBER</u>	<u>AMOUNT</u>
Unknown	13	\$ 297.20
"	23	278.50
"	80	197.08
"	81	525.55
"	97	384.21
"	112	3.33
"	113	19.99
"	142	277.86
"	143	552.26
"	156	558.86
"	159	558.86
"	161	2160.81
"	162	264.21
"	163	262.74
"	187	211.50
"	213	211.50
"	217	253.80
"	218	253.80
"	231	211.50
"	233	211.50

The Board further finds and determines that the aggregate amount of said assessments unpaid is the sum of \$ 7,695.06

Upon motion of Trustee Hale, seconded by Trustee Morehead, the foregoing Resolution No. 83 was adopted by the following vote:
Ayes: Trustees Hale, Morehead, Crose, Montgomery and Black.
Noes: None.
Absent: None.

RESOLUTION NO. 89.

Providing for the Issuance of Improvement Bonds to Represent and be secured by assessments made for the cost of the work and improvement made in and upon WALNUT STREET in the City of Lodi, and to provide for the sale thereof.

BE IT RESOLVED, by the Board of Trustees of the City of Lodi as follows :

WHEREAS, this Board of Trustees by its Resolution of Intention No. 24 providing for the Improvement of Walnut Street from the East Line of Hutchins Street to the West Line of Lee Avenue, and from the East Line of Lee Avenue to the West Line of Sacramento Street, and from the East Line of Sacramento Street to a line 247.5 feet East of and parallel to the West Line of Sacramento Street; and from a line 234.5 feet West of and parallel to the East Line of Main Street to the City Limits on the East, being the West Line of Cherokee Lane, in the City of Lodi, determined that serial bonds to represent unpaid assessments and to bear interest at the rate of seven per cent per annum, would be issued thereunder in the manner provided by the "Improvement Bond Act of 1915" and amendments thereto, and that the last installment of which bonds should mature nine (9) years from the 2nd day of July next succeeding nine months from their date, and

WHEREAS, the work to be done under said Resolution of Intention No. 24 has been completed to the satisfaction of the Superintendent of Streets, and of the Board of Trustees; and the Superintendent of Streets on the 9th day of February, 1920 filed with the Clerk of the Board of Trustees a complete list of all unpaid assessments made under said proceedings, and

WHEREAS, this Board of Trustees has this day found and determined that the aggregate amount of the unpaid assessments is the sum of \$ 7,695.06

NOW, THEREFORE, BE IT RESOLVED, as follows:-

Street Improvement bonds to be issued pursuant to the provisions of the "Improvement Bond Act of 1915" and amendments thereto, evidencing the aforesaid indebtedness, shall be issued to the aggregate amount of \$ 7,695.00 and the number, denomination and character of such bonds shall be as follows:

Said bonds shall be dated the 16th day of February, 1920 and shall be of the character known as serials. One tenth part of the total amount of the bonds evidencing said indebtedness shall be payable on the 2nd day of July 1921, and one-tenth part of said total indebtedness shall be payable on the 2nd day of July of each and every year thereafter to and including the 2nd day of July 1930.

Said total indebtedness shall be evidenced by ten (10) bonds of the denomination of five hundred (500) dollars each; ten (10) bonds of the denomination of two hundred (200) dollars each; and ten (10)

bonds of the denomination of sixty-nine and 50/100 (69.50) dollars each. One (1) of said bonds of the denomination of five hundred (500) dollars each; one (1) of said bonds of the denomination of two hundred (200) dollars each; and one (1) of said bonds of the denomination of sixty-nine and 50/100 (69.50) dollars each shall mature and be payable on the 2nd day of July, 1921, and one (1) of said bonds of a like denomination shall mature and be payable on the 2nd day of July of each and every year thereafter to and including the 2nd day of July, 1930.

Said bonds shall be numbered 1 to 30, both inclusive, as follows:

<u>SERIES.</u>	<u>BOND NUMBERS.</u>	<u>DENOMINATIONS.</u>	<u>DATES OF MATURITIES.</u>
H-1	1	500.00	July 2nd, 1921
H-1	2	200.00	July 2nd, 1921
H-1	3	69.50	July 2nd, 1921
H-2	4	500.00	July 2nd, 1922
H-2	5	200.00	July 2nd, 1922
H-2	6	69.50	July 2nd, 1922
H-3	7	500.00	July 2nd, 1923
H-3	8	200.00	July 2nd, 1923
H-3	9	69.50	July 2nd, 1923
H-4	10	500.00	July 2nd, 1924
H-4	11	200.00	July 2nd, 1924
H-4	12	69.50	July 2nd, 1924
H-5	13	500.00	July 2nd, 1925
H-5	14	200.00	July 2nd, 1925
H-5	15	69.50	July 2nd, 1925
H-6	16	500.00	July 2nd, 1926
H-6	17	200.00	July 2nd, 1926
H-6	18	69.50	July 2nd, 1926
H-7	19	500.00	July 2nd, 1927
H-7	20	200.00	July 2nd, 1927
H-7	21	69.50	July 2nd, 1927
H-8	22	500.00	July 2nd, 1928
H-8	23	200.00	July 2nd, 1928
H-8	24	69.50	July 2nd, 1928
H-9	25	500.00	July 2nd, 1929
H-9	26	200.00	July 2nd, 1929
H-9	27	69.50	July 2nd, 1929
H-10	28	500.00	July 2nd, 1930
H-10	29	200.00	July 2nd, 1930
H-10	30	69.50	July 2nd, 1930

Said bonds shall be in substantially the following form to-wit:

No. _____ IMPROVEMENT BOND _____
 CITY OF LODI,
 STATE OF CALIFORNIA.
 SERIES NO. _____

Under and by virtue of the act of the legislature of the State of California, entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued", approved June 11th, 1915, and amendments thereto, the City of Lodi (a municipal corporation) will on the second day of July 19 , out of the redemption fund for the payment of the bonds issued upon the assessments made for the work upon and improvements on Walnut Street from the East Line of Hutchins Street to the West Line of Lee Avenue, and from the East Line of Lee Avenue to the West Line of Sacramento Street, and from the East Line of Sacramento Street to a line 247.5 feet East of and parallel to the West Line of Sacramento Street; and from a line 234.5 feet West of and parallel to the East Line of Main Street to the City Limits on the East, being the West Line of Cherokee Lane, in said City, as more fully described in Resolution of Intention No. 24 passed by the Board of Trustees of said municipality on the 21st day of July, 1919, pay to bearer the sum of _____ dollars () with interest thereon from the 9th day of February, 1920, at the rate of seven (7) per cent per annum, all as is hereinafter specified, and at the office of the treasurer of said municipality.

This bond is one of several annual series of bonds of like date, tenor and effect, but differing in amounts and maturities, issued by

said municipality under said act for the purpose of providing means for paying for the work and improvements described in said Resolution of Intention, and is secured by the moneys in said redemption fund and by the unpaid assessments made for the payment of said work, and, including principal and interest, is payable exclusively out of said fund.

The interest is payable semi-annually, to-wit: On the second days of January and July in each year hereafter, upon presentation of the proper coupons therefor; provided, that the first of said coupons is for the interest to the second day of January, 1921, and thereafter the interest coupons are for the semi-annual interest.

This bond will continue to bear interest after maturity at the rate abovestated; provided, it is presented at maturity and payment thereof is refused upon the sole ground that there is not sufficient moneys in said redemption fund with which to pay same. If it is not presented at maturity interest thereon will run until maturity.

This bond may be redeemed and paid in advance of maturity upon the second day of July in any year by giving the notice provided in said act.

IN WITNESS WHEREOF, said City of Lodi has caused this bond to be signed by the Treasurer of said City of Lodi and by its Clerk, and has caused its Clerk to affix thereto its corporate seal all on the 16th day of February, 1920.

Treasurer

Clerk

Said bonds shall bear interest at the rate of seven per cent per annum, payable on the second days of January and July of each year, commencing January 2nd, 1921.

There shall be attached to each bond an interest coupon for each semi-annual payment of interest to become due thereon, and each coupon shall be in such an amount as to represent six months interest on the bond to which it is attached, except that the coupon representing the interest due January 2nd, 1921, shall be for such an amount as may represent the interest on each of said bonds respectively from the 9th day of February, 1920 to the 2nd day of January 1921.

Said coupons shall be numbered consecutively according to the order of their payment, and shall be substantially in the following form, to-wit:-

Coupon No. _____

Bond No. _____

Improvement Bond- City of Lodi.

On the 2nd day of _____, A. D. 19____, the City of Lodi will pay to the bearer hereof, at the office of the City Treasurer in said City, County of San Joaquin, State of California, the sum of _____ said sum being the interest due on that date upon the abovenumbered improvement bond.

Series No. _____

City Treasurer.

The City Treasurer and City Clerk are hereby authorized and directed to sign each and every one of said bonds, and the City Clerk is authorized and directed to affix thereto the corporate seal of the City, and the City Treasurer is hereby authorized and directed to sign each and every one of the coupons attached to said bonds, provided however, that the City Treasurer in signing said coupons may use and adopt his printed or lithographed signature, in place of his signature by hand.

Said bonds shall be issued in annual series, and the unpaid assessments as shown on said list filed by the Superintendent of Streets and determined by said Board of Trustees together with interest thereon, shall remain and constitute a trust fund for the redemption and payment of said bonds and of the interest which may be due thereon, which unpaid assessments shall be payable in annual series corresponding in

number to the number of series of bonds issued, and an even annual proportion of each assessment shall be payable in each year preceding the date of maturity for each of the several series of bonds issued, and such proportion of each assessment coming due in any year together with the annual interest thereon, shall be payable in installments as the general municipal taxes of said City of Lodi on real property are payable and shall become delinquent at the same times and in the same proportionate amounts and bear the same proportionate penalties and interest for delinquency.

Sealed proposals for the purchase of said improvement bonds will be received by said Clerk up to the hour of eight o'clock P. M. on Monday the 15th day of March, 1920. Bids must be for not less than par value of the bonds and accrued interest. The right is reserved to reject any and all bids. If a satisfactory bid be received, the successful bidder may be allowed ten days for examination of the proceedings authorizing the issue of said bonds, and may make his bid subject to the legality of said proceedings. Bids must be accompanied by certified check or cashier's check on some responsible bank in the sum of ten per cent of the par value of the amount of bonds bid for, such check to be made payable to H. S. Clark, City Clerk.

The City Clerk is hereby directed to advertise for bids for such bonds as herein provided by publishing notice inviting bids, once a week for two weeks in the Lodi Sentinel. Said notice shall be in substantially the following form:

Sealed bids for the purchase of street improvement bonds of the City of Lodi, in the County of San Joaquin, State of California, will be received by the undersigned City Clerk of said City of Lodi, up to eight o'clock P. M., Monday the 15th day of March, 1920. Such bids shall be addressed to the undersigned and must be for not less than par value of the bonds bid for, with accrued interest to date of delivery. The right is reserved to reject any or all bids. The successful bidder will be allowed ten days for examination of the proceedings, and bids may be made subject to the legality of the proceedings. Each bid must be accompanied by a certified check or

cashier's check upon some responsible bank in a sum equal to ten per cent of the par value of bonds bid for. Such checks shall be made payable to the undersigned.

Said issue of bonds aggregate the total sum of \$7,695.00, bearing interest at the rate of seven per cent per annum, payable semi-annually on the 2nd day of January and July of each year. Said bonds are of the following denominations:

Ten (10) bonds of the denomination of five hundred (500) dollars each; ten (10) bonds of the denomination of two hundred (200) dollars each; and ten (10) bonds of the denomination of sixty-nine and 50/100 (69.50) dollars each and are dated February 16th, 1920.

Said bonds are of the character known as serials, and one (1) of said bonds of the par value of five hundred (500) dollars each; one (1) of said bonds of the par value of two hundred (200) dollars each; and one (1) of said bonds of the par value of sixty-nine and 50/100 (69.50) dollars each is payable annually from July 2nd, 1921, to July 2nd, 1930, both inclusive, and are issued pursuant to the provisions of the "Improvement Bond Act of 1915", and Amendments thereto, and pursuant to proceedings taken by the Board of Trustees of the City of Lodi, under Resolution of Intention No. 24.

City Clerk.

By order of the Board of Trustees.
Dated February 16, 1920.

The foregoing resolution was adopted by the following vote:
Ayes: Trustees Crose, Morehead, Montgomery, Hale and Black.
Noes: None.
Absent: None.

RESOLUTION NO. 91.

WHEREAS, the following maps or plats have been presented to this Board, to-wit:

THE FLORA STREET TRACT.
THE LAWRENCE HOMESTEAD ADDITION.
THE WALNUT ADDITION.

AND WHEREAS, the street lines and property lines of the above named tracts conform with the lines of adjoining streets and property lines; and

WHEREAS, the streets shown in said maps or plats are more than forty feet in width; and

WHEREAS, the above named map or plats have been recommended for approval by the City Engineer; be it

BE IT RESOLVED, that said maps or plats be approved and the streets and alleys indicated for public use by the respective owners of said tracts be accepted; and that the President of this Board be and is authorized to endorse this approval and acceptance in the said plats or maps.

The foregoing resolution was adopted by the following vote:
Ayes: Trustees Montgomery, Morehead, Hale, Crose and Black.
Noes: None.
Absent: None.

The City Planning Commission reported with the following recommendations:

That a tree ordinance (or any other means of regulation) be enacted providing that

a/ The minimum distance between trees in the parking spaces shall be thirty feet;

b/ That all fruit trees (except those now in existence) be barred from the streets with the exception of Walnut, Chestnut and citrus fruit trees; and that of the other kinds of trees, other than fruit bearing trees, the yellow acacia and the eucalyptus or gum trees be also barred.

The foregoing report and recommendations was referred to a committee of the whole.

Superintendent Henning presented a proposed contract between the City of Lodi and Western States Gas & Electric Company for furnishing electric energy to the City of Lodi for a period of five years from June 25th, 1920.

Trustee Morehead moved, seconded by Trustee Crose, that the aforesaid contract be approved and adopted and that the President of the Board and City Clerk be hereby authorized to sign the same for the City of Lodi. The foregoing motion was adopted by the following vote:

Ayes: Trustees Morehead, Montgomery, Crose, Hale and Black.
Noes: None.
Absent: None.

Miscellaneous bills amounting to \$781.55, having been passed by the auditing committee, were allowed and ordered paid.

No further business appearing the Board adjourned.

Attest:

H. S. Clark
city clerk.

Handwritten signatures and notes at the bottom of the page.